

Garg 2001-0526DIV2

Remarks

Reconsideration of remaining claims 25, 26 and 28-30 is respectfully requested.

In the Office action dated November 17, 2005, the Examiner issued a final rejection of pending claims 25-30, and also objected to the drawings. The Examiner's objections and rejections will be discussed below in the order appearing in the Office action.

Drawing Objection

The Examiner first objected to the drawings in that the limitations of claim 29 with respect to "a first unique ID number" and "a second unique ID number" were not shown. In response, applicant asserts that FIG. 4 illustrates, in step 56, the act of "toggling" a message indicator. With reference to paragraph [0032], the description of step 56 states that "[t]his could be either a simple toggle, or a first unique caller-ID may be used to set the indicator and a second unique caller-ID may be used to reset the indicator". It is asserted that this description is sufficient, in combination with the drawings, to fully describe the details of claim 29.

In the Office action dated August 9, 2005, the Examiner rejected pending claims 1-16 under 35 USC §§ 101, 112/first paragraph, 102(e) and 103(a). The Examiner's rejections will be discussed below in the order they were presented in the Office action.

Claim Objections - Claim 27

The Examiner objected to claim 27 with respect to the informality of "a receiving a call". Claim 27 has now been cancelled from this application.

35 USC § 112, first paragraph Rejection - Claim 29

The Examiner further rejected claim 29 under 35 USC 112, first paragraph as not enabled by the present disclosure. Applicant has amended the pertinent portions of the

Garg 2001-0526DIV2

specification to now refer to the "unique IDs" as "first" and "second", in place of reference to "another". With these amendments, applicant believes that the Examiner's rejection has been overcome.

35 USC § 112, second paragraph Rejection - Claim 26

Claim 26 was rejected by the Examiner under 35 USC 112, second paragraph, as having insufficient basis for the term "the transmitted voicemail status message". In response, applicant has amended independent claim 25 to provide the proper antecedent basis for this limitation. Applicant believes that with this amendment to claim 25, claim 26 is now in compliance with the requirements of 35 USC 112, second paragraph.

35 USC § 102(b) Rejection - Claim 27

The Examiner next rejected claim 27 under 35 US 102(b) as being anticipated by US Patent 5,995,594 (Shaffer et al.). Claim 27 has been cancelled from this application.

35 USC § 103(a) Rejection - Claims 25 and 26

Claims 25 and 26 were next rejected by the Examiner under 35 USC 103(a) as being unpatentable over US Patent 6,215,859 (Hanson), in view of Shaffer. The Examiner cited Hanson as teaching a voicemail server that includes "multiple mailbox partitions ... associated with a single telephone line of the network". Applicant cannot agree with this characterization of Hanson and, therefore cannot agree with the Examiner's conclusion that the combination of Hanson and Shaffer renders obvious the present invention as defined by claims 25 and 26.

With reference to cited portion of Hanson (column 4, lines 30-36), it is clear that Hanson is directed to a system that allows for a calling party to leave the same message for a plurality of different recipients (identified by an "alias" as a group). For example, a supervisor may desire to leave the same message for all of his employees. Each recipient is defined as having a separate, different mailbox. There is no discussion or even in

Garg 2001-0526DIV2

suggestion in Hanson that the various recipients are co-located and using "a single telephone line", which is precisely the subject matter of the present invention. The term "partition" is used to describe an arrangement where separate sections within a single mailbox are identified with different persons, albeit with the same phone number. Such an arrangement is not described in the prior art references cited by the Examiner.

Based on this difference, applicant respectfully requests the Examiner to reconsider this rejection and find independent claim 25, as well as dependent claim 26, to be in condition for allowance over the combination of Hanson and Shaffer et al.

35 USC 103(a) Rejection - Claim 28

The Examiner rejected claim 28 under 35 USC 103(a) as being unpatentable over the combination of US Patent 6396513 (Helfman et al.) and Shaffer et al. The Examiner cited Helfman et al. as teaching the use of "at least one unique ID number" associated with the status of messages for that subscriber. Applicant cannot agree with the Examiner's characterization of the Helfman et al. on this point. In particular, it is believed that Helfman et al. is directed to transmitting a status message that includes the "number" of messages for a particular "category". There is no teaching of a "unique ID" that is associated with a particular subscriber. The purpose of using unique IDs in accordance with the present invention is that in the situation where there is more than one "subscriber entity" (such as the case with multiple mailbox partitions), the various messages for each person may be associated with separate, unique IDs so that one may be able to distinguish the proper message recipient.

In light of this difference, applicant believes that claim 28 remains patentable over the combination of Helfman et al. and Shaffer et al. and respectfully requests the Examiner to reconsider this rejection and find claim 28 to be in condition for allowance.

35 USC § 103(a) Rejection - Claim 29

The Examiner rejected claim 29 under 35 USC 103(a) as being obvious over the above-cited combination applied to claim 28, in further view of US Patent 6,032,039

Garg 2001-0526DIV2

(Kaplan). Regardless of the teaching of Kaplan, applicant asserts that the previously-cited combination of Helfman et al. and Shaffer et al. still lacks the teaching with respect to the transmission of "unique ID"s for each different subscriber. Without this teaching, applicant asserts that claim 29 is also allowable over the cited combination of references.

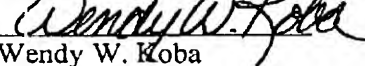
35 USC § 103(a) Rejection - Claim 30

Lastly, claim 30 was rejected by the Examiner under 35 USC 103(a) as being unpatentable over the above-cited combination of references, when considered with US Patent Application 2002/0115478 (Fujisawa et al.). In response, applicant has amended claim 30 to specifically define the use of different unique IDs with each sub-mailbox partition. Inasmuch as Fujisawa et al. is associated with the use of caller-ID of the calling party, it is clear that amended claim 30 cannot be found to now be rendered obvious by this cited combination of references.

In summary, the present application now contains claims 25, 26 and 28-30, where claim 27 has been cancelled. Various ones of the claims, as well as the specification, have been amended to overcome the rejections. Applicant believes that the case is now in condition for allowance and respects an early and favorable response from the Examiner in that regard. If for some reason or other the Examiner does not agree that the case is ready to issue and that an interview or telephone conversation would further the prosecution, the Examiner is invited to contact applicant's attorney at the telephone number listed below.

Respectfully submitted,

Amit Garg

By: 
Wendy W. Koba
Reg. No. 30509
Attorney for applicant
610-346-7112

Date: 1/11/2006